

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA, et al.,

Plaintiffs,

v.

STATE OF WASHINGTON, et al.,

Defendants.

CASE NO. CV 70- 9213

AMENDED SUPPLEMENTAL ORDER
ON PARAGRAPH 25 PROCEDURES

The Court hereby AMENDS the Supplemental Order on Paragraph 25 Procedures filed November 9, 2011 (Dkt. # 19893) as follows, to reflect the November 21, 2012 changes in the Court's electronic filing procedures (CM/ECF) for *U.S.A. v. Washington*:

(1) Any party wishing to file a new Request for Determination shall, after complying with the pre-filing requirements of Paragraph 25 of the Permanent Injunction, as modified August 11, 1993, shall file an *ex parte* motion for leave to open a new subproceeding. The motion shall be filed in the Main Case of *U.S.A. v. Washington*, C70-9213, and shall be noted for consideration the same day as filed, pursuant to Local Rule CR 7. The motion shall clearly designate who shall be the requesting and responding or affected parties, and shall contain a certification that pre-filing meet and confer requirements of Paragraph 25(b) have been met. No legal argument or other documentation is necessary. The requesting party shall also e-mail a proposed Order to the Chambers Order Box at

AMENDED SUPPLEMENTAL ORDER ON
PARAGRAPH 25 PROCEDURES- 1

1 MartinezOrders@wawd.uscourts.gov. The proposed Request for Determination shall be attached as an
2 exhibit to the motion and filed under the same docket number, not filed as a separate docket entry.

3 (2) The Court shall consider the motion as soon as practicable and shall liberally grant such
4 motions, provided the Request for Determination appears to fit within the purposes set forth at
5 Paragraph 25(a) of the Permanent Injunction. C70-9213, Dkt. # 13599. The Order granting the motion
6 for leave to file shall not constitute a final determination that the dispute is within the Court's
7 jurisdiction under Paragraph 25, and such jurisdiction may still be questioned by the responding party.

8 (3) Upon granting the motion for leave to file a Request for Determination, the Court shall direct
9 the Clerk to open a new subproceeding and assign the next number in sequence. Notice of the new
10 subproceeding shall be sent electronically to all parties in C70-9213.

11 (4) All subsequent filings in the subproceeding shall be filed in the main case, C70-9213RSM,
12 and filed separately in the new subproceeding. Parties shall refer to the Order on Electronic Filing
13 Procedures, dated November 20, 2012, for further information on filing. A party who has questions
14 regarding this procedure may call the Case Administrator, Consuelo Ledesma, at **206-370-8455** for
15 assistance. **A document which has been filed only in C70-9213 and has not also been timely filed**
16 **in the correct subproceeding may be regarded as improperly filed.**

17 (5) Declarations and other documents filed in support of a motion should reference the motion by
18 docket number (from C70-9213) in the text entered on the docket sheet.

19 (6) Parties to *U.S.A. v. Washington* who are not named as requesting or responding parties, but
20 who wish to participate in the subproceeding, may file a Notice of Appearance as an Interested Party,
21 and will be entered as such on the docket by the Clerk.

22 (7) Corporate disclosure statements, where appropriate, shall be filed in accordance with
23 Fed.R.Civ.P. 7.1 and shall be filed in both the main case, C70-9213, and in the subproceeding.

24 (8) The Court directs all parties to use care in filing documents in new and in existing
25 subproceedings, to ensure that the documents are filed only in the appropriate subproceeding. The
26 erroneous filling of unrelated documents in the wrong subproceedings has unnecessarily complicated the
27 dockets of a number of subproceedings. The Court has revised the electronic filing procedures to

1 minimize this occurrence.

2 (9) These procedures do not alter or amend the substantive requirements of Paragraph 25, as
3 amended August 11, 1993, and are intended only to facilitate the process of opening new
4 subproceedings, and maintaining existing subproceedings, using CM/ECF.

5 (10) The Clerk shall post a copy of this Order on the Court's webpage for Special Case Notices
6 relating to *U.S.A. v. Washington*.

7 DATED this 20 day of November 2012.

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9 RICARDO S. MARTINEZ
10 UNITED STATES DISTRICT JUDGE
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